

REMARKS

Claims 1-20 are currently pending in the present application, none of which has been amended.

Rejection under 35 U.S.C. § 103

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Clark, II et al.* (US 5,686,912) in view of *Cooklev* (US 6,289,130) and *Jaquette et al.* (US 6,271,775). Applicant respectfully traverses such rejection.

Claim 1 (and similarly Claim 11) recites steps of "in response to said determined cost difference being less than a low limit value, transmitting all characters previously stored in said buffer," "in response to said determined cost difference being greater than a high limit value, transmitting all codewords previously stored in said buffer," and "in response to said determined cost difference being inclusively between said low limit value and said high limit value, deferring data transmission from said buffer."

In the Final Office Action, the Examiner rejects the claimed invention for the same reasons set forth in the Non-Final Office Action dated March 22, 2007. On page 3 of the March 22, 2007 Non-Final Office Action, the Examiner asserts that the claimed step of "in response to said determined cost difference being less than a low limit value, transmitting all characters previously stored in said buffer" is disclosed by *Clark* in blocks **50** and **54** of Figure **2**, and the claimed step of "in response to said determined cost difference being greater than a high limit value, transmitting all codewords previously stored in said buffer" is disclosed by *Clark* in blocks **56** and **60** of Figure **2**. The Examiner states that the claimed step of "in response to said determined cost difference being inclusively between said low limit value and said high limit value, deferring data transmission from said buffer" is not disclosed by *Clark*, but then the Examiner asserts that it is disclosed by *Jaquette* in blocks **206** and **208** of Figure **2A**. The Examiner then concludes that the combined teachings of *Clark* and *Jaquette* would teach or suggest the above-mentioned claimed steps.

It seems that the Examiner has characterized the claimed cost difference as *Clark*'s compression coefficient, the claimed low limit value as *Clark*'s raw threshold, and the claimed high limit value as *Clark*'s compression threshold. It would be more illustrative to compare the claimed invention with *Clark* in the following format:

The claimed invention

- when cost difference is less than a low limit value,
transmitting all characters previously stored in buffer;
- when cost difference is greater than a high limit value,
transmitting all codewords previously stored in buffer;
- when cost difference is between low limit value and high limit value,
deferring data transmission from buffer.

In other words, the claimed invention generally provides three zones, namely, below low limit, above high limit, and between low/high limits. If the cost difference is below low limit, all characters in buffer are transmitted. If the cost difference is above high limit, all codewords in buffer are transmitted. If the cost difference is between low/high limits, data transmission is deferred.

Clark

- when compression coefficient (*i.e.*, cost difference) is not less than raw threshold (*i.e.*, low limit value), compression remains in compressed mode
- when compression coefficient (*i.e.*, cost difference) is not greater than compression threshold (*i.e.*, high limit value), compression remains in the raw mode

Thus, based on the characterization of *Clark* provided by the Examiner, *Clark* is different from the claimed invention. For example, *Clark* teaches that when compression coefficient (*i.e.*, cost

difference) is not less than raw threshold (*i.e.*, low limit value), compression remains in compressed mode. In contrast, the claimed invention transmits all codewords previously stored in buffer when the cost difference is greater than a high limit value. Similarly, *Clark* teaches that when compression coefficient (*i.e.*, cost difference) is not greater than compression threshold (*i.e.*, high limit value), compression remains in the raw mode. In contrast, the claimed invention transmits all characters previously stored in buffer when the cost difference is less than a low limit value.

The term "compression potential sum $S(p)$ " is used in Figure 2A of *Jaquette*. It is clear that *Jaquette*'s compression potential sum is so different from *Clark*'s compression coefficient such that the two terms are not interchangeable. But assuming *arguendo* that the two terms can be interchanged, then the Examiner would be characterizing the compression potential sum as the claimed cost difference.

On page 2 of the Final Office Action, the Examiner asserts that "if the compression potential is greater or equal than the first threshold (hereinafter, 'T'), it will switch to a raw mode." However, this teaching does not match any of the above-mentioned three claimed conditions. For example, the claimed invention transmits all characters previously stored in buffer (similar to the raw mode) when cost difference is less than a low limit value, not greater or equal to the low limit value.

The Examiner then asserts that "if the compression potential is less than T, then the compression potential will be further compared to second threshold," and "if the compression potential is less than or equal zero, then it will stay in compressed mode. But if this condition fails[,] it will be compared to the second threshold in order to determine which mode is more beneficial to transmit the information." There are many problems with such characterization. The Examiner initially asserts that "if the compression potential is less than T, then the compression potential will be further compared to second threshold," and then the Examiner asserts that the compression potential is compared to a zero (block 208). Thus, the second threshold should be a zero, but the Examiner seems to also characterize the second threshold as

"t" in blocks **210-211**. The Examiner cannot characterize the second threshold as both zero and "t." Also, according to Figure **2A** of *Jaquette*, there are at least three values, namely, T, zero, and t. In contrast, there are only two claimed values, namely, a high limit value and a low limit value. In addition, none of the result blocks in Figure **2A** of *Jaquette* (such as blocks **207**, **209**, and **212**) after the comparison blocks (such as blocks **206**, **208** and **210-211**) teaches or suggests the claimed step of "deferring data transmission from said buffer."

Because the cited references, whether separately or combined, do not teach or suggest the claimed invention, the § 103 rejection is believed to be overcome.

CONCLUSION

Claims 1-20 are currently pending in the present application. For the reasons stated above, Applicant believes independent Claims 1 and 11 along with their respective dependent claims are distinguished over the cited references under § 103, and should be in condition for allowance. The remaining prior art cited by the Examiner, but not relied upon, has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any fee or extension of time is required for the prosecution of the present application, please charge it against Dillon & Yudell Deposit Account No. **50-3083**.

Respectfully submitted,



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